



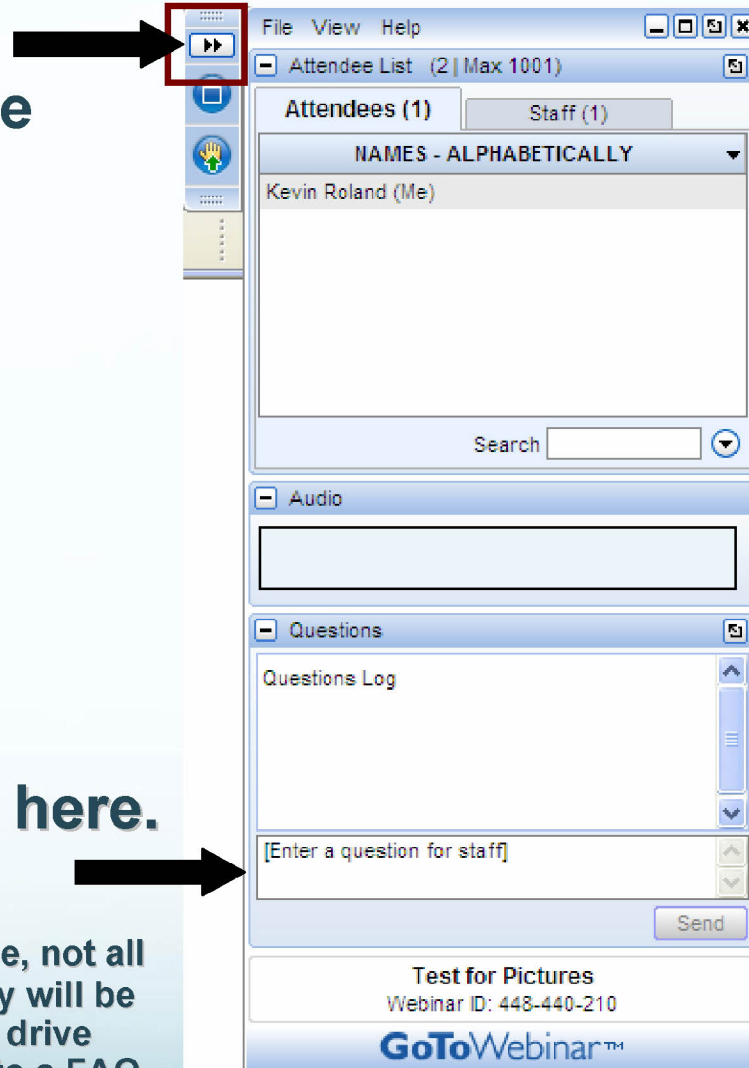
CHESAPEAKE BAY TMDL

Restoring Local Waters and the Chesapeake Bay

Webinar No. 3 in Series

May 17, 2010

- Click the double arrow to show or hide your control panel



- Type your questions here.
(Indicate organization)

Note: Because of the large audience, not all questions will be answered, but they will be saved, and your questions will help drive future events and could contribute to a FAQ.



Technical Issues?

Contact:

- **Citrix Global Customer Support**
1-800-263-6317

Today's Presenters

- **Bob Koroncai**, Chesapeake Bay TMDL Manager, EPA Region 3
- **Rich Eskin**, Director, Science Services Administration, Maryland Department of the Environment

AGENDA

- Welcome, Opening Remarks – Bob Koroncai
- Key Updates – Bob Koroncai
- MDE Perspective – Rich Eskin
- Questions and Answers
 - Today's presenters will be joined by **Rich Batiuk**, Associate Director for Science, Chesapeake Bay Program Office (CBPO), EPA Region 3

Chesapeake Bay Federal Strategy

- Released May 12, 2010
- Developed under President Obama's Chesapeake Bay Executive Order
- Deepens federal commitment to restoration
- Bay TMDL a key element in strategy
- To view the strategy:
<http://executiveorder.chesapeakebay.net>



Chesapeake Bay Foundation (CBF) Litigation Settled May 11, 2010

Principals' Staff Committee

April 29-30, 2010

- EPA reaffirms federal-state commitment to establish Bay TMDL by December 31, 2010
- Will ensure 'pollution diet' and actions to meet it stay on aggressive pace

Step 1 – December 2010

- **In 2010**
 - **July 1 – Using existing models**, State/basin allowable loads for nitrogen and phosphorus determined
 - includes “temporary reserve” for potential load shifts from two model updates
 - **Aug. 15 – State/Basin Loads on sediment determined**
 - includes “temporary reserve” for potential load shifts from two model updates

Step 1- December 2010

- In 2010
 - TBA –draft Phase I Watershed Implementation Plans. ***No requirement for preliminary plans***
 - TBA – Draft Bay TMDL developed and offered for public comment.
 - Nov. 29 –final Phase 1 Watershed implementation plans.
 - Dec. 31 – EPA establishes Bay TMDL

Step 2 - 2011

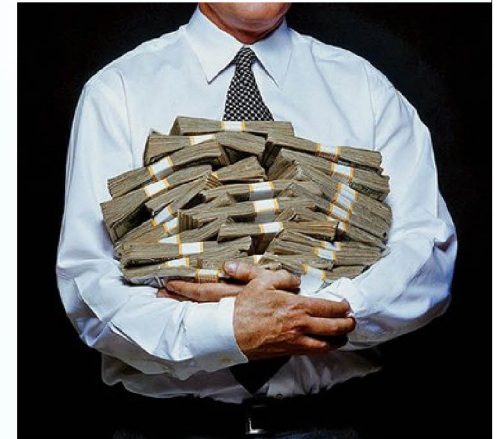
- **In 2011**
 - EPA revises watershed model
 - nutrient management effectiveness; suburban land characteristics)
 - removes or reduces temporary reserve
 - draft Phase II Watershed Implementation Plans by June 1; final by Nov. 1.
 - Modify Point and NPS loads
 - finer scale of planned actions
 - Proposed state modification to Bay TMDL
 - 30 day public comment period
 - submit to EPA for approval
 - EPA modifies the Bay TMDL if needed

Step 3 - 2017

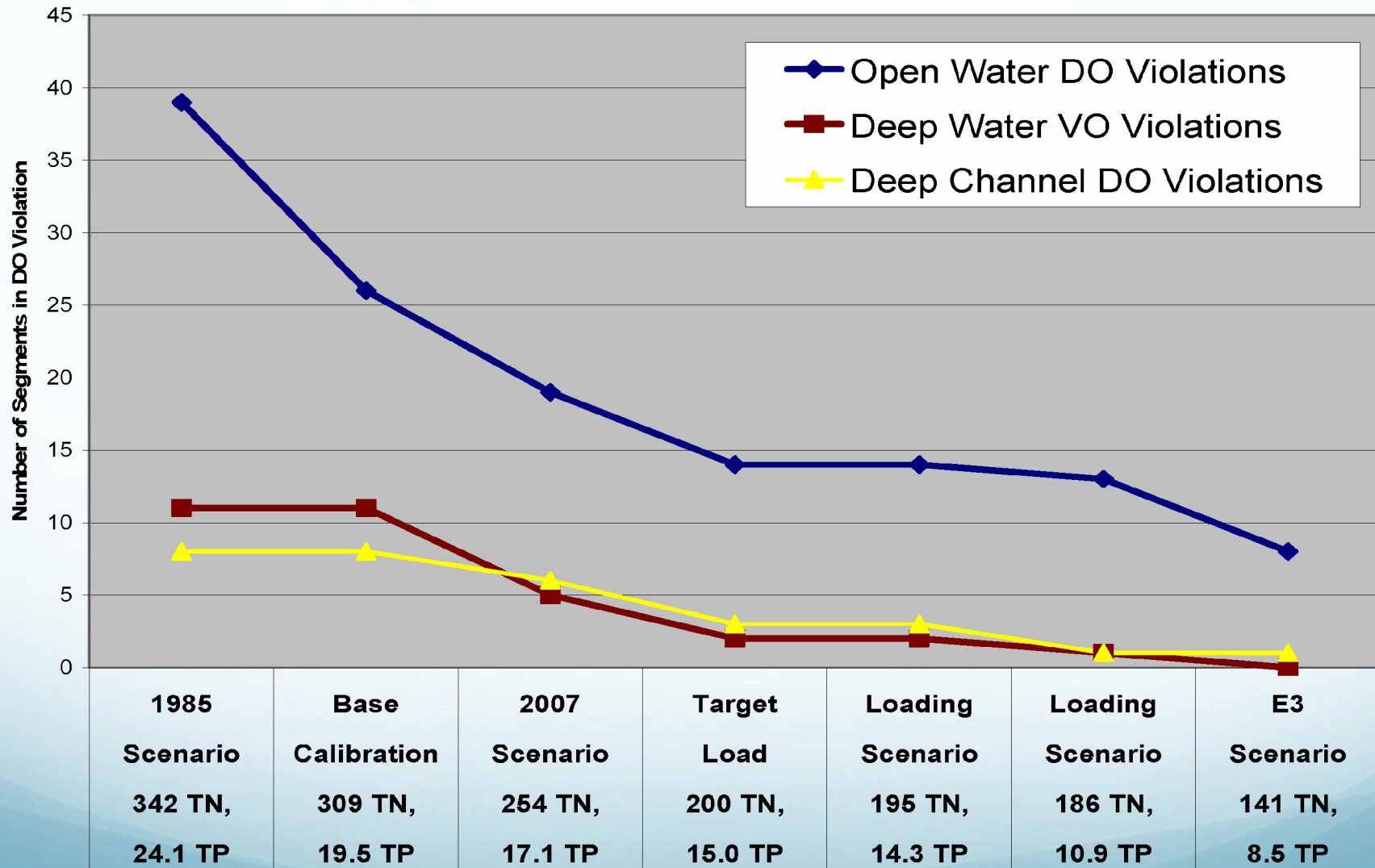
- **Prior to 2017**
 - EPA reviews models and considers whether updates are needed
- **In 2017**
 - Phase III implementation plans
 - ensuring practices in place by 2025 for restoration of the Bay and its tidal waters
 - EPA modifies the Bay TMDL, if necessary

EPA Support to States WIPs

- \$11.2 Million in supplemental Bay grants to the states
- \$400,000 in WIP contractual support to states
- \$300,000 for local WIP pilots
- Identified extensive WIP expectations
- Modeling and other technical support
- ***Additional \$200,000 for state WIPs support, esp. offset program development***



DO Non-attainment – All Scenarios



Violation counts based on >1% for the '93-'95 critical period



15

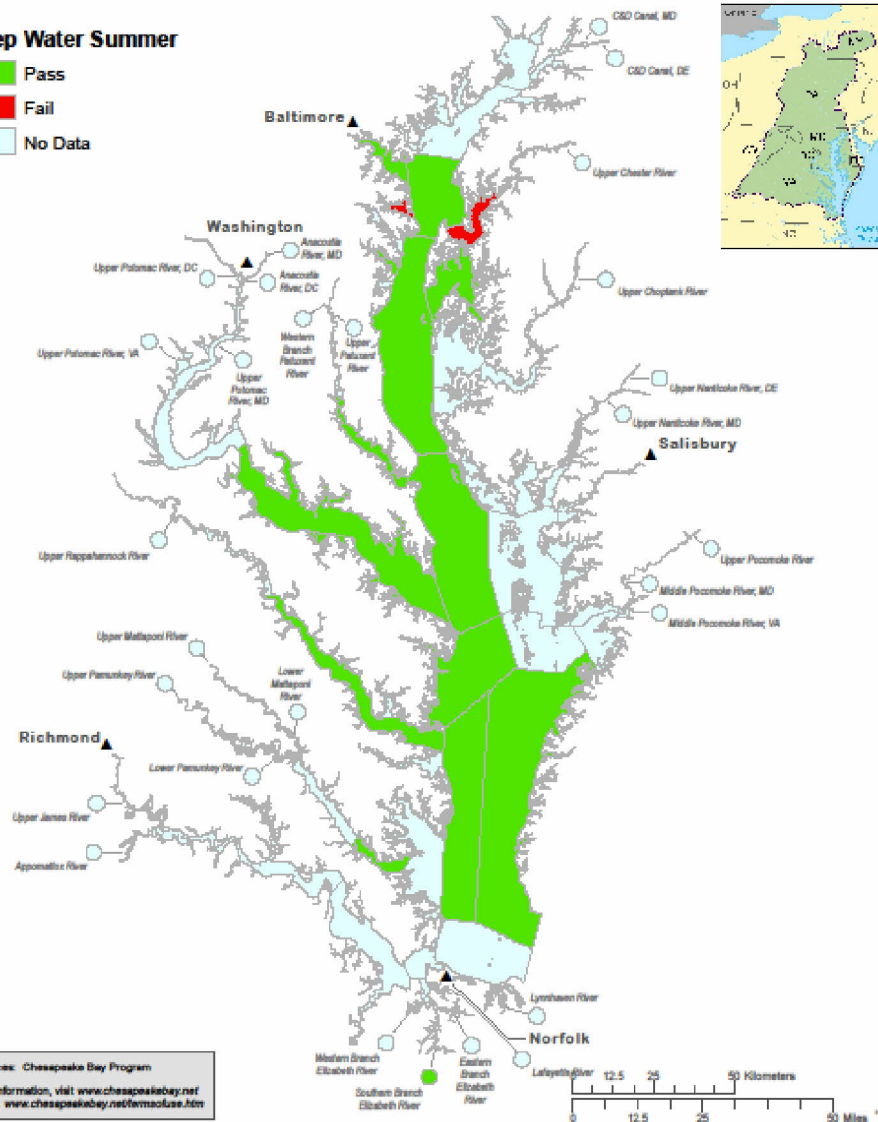
Attainment Status, Draft Target Load Scenario (200 TN, 15TP)

Critical Period 1993-1995



Chesapeake Bay Program
A Watershed Partnership

Deep Water Summer



Data Sources: Chesapeake Bay Program
For more information, visit www.chesapeakebay.net
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UTM Zone 18N, NAD 83

Deep-Water Use Dissolved Oxygen at Current Target Loads (200 TN, 15 TP+ 15.7 air allocation)

- Non-attainment in 2 segments (>1%)
 - Lower Chester River (3%)
 - Magothy (16%)
- 4 segments at <1%
- Reaching attainment will require further reductions in nutrient loads from basinwide and local watershed scales

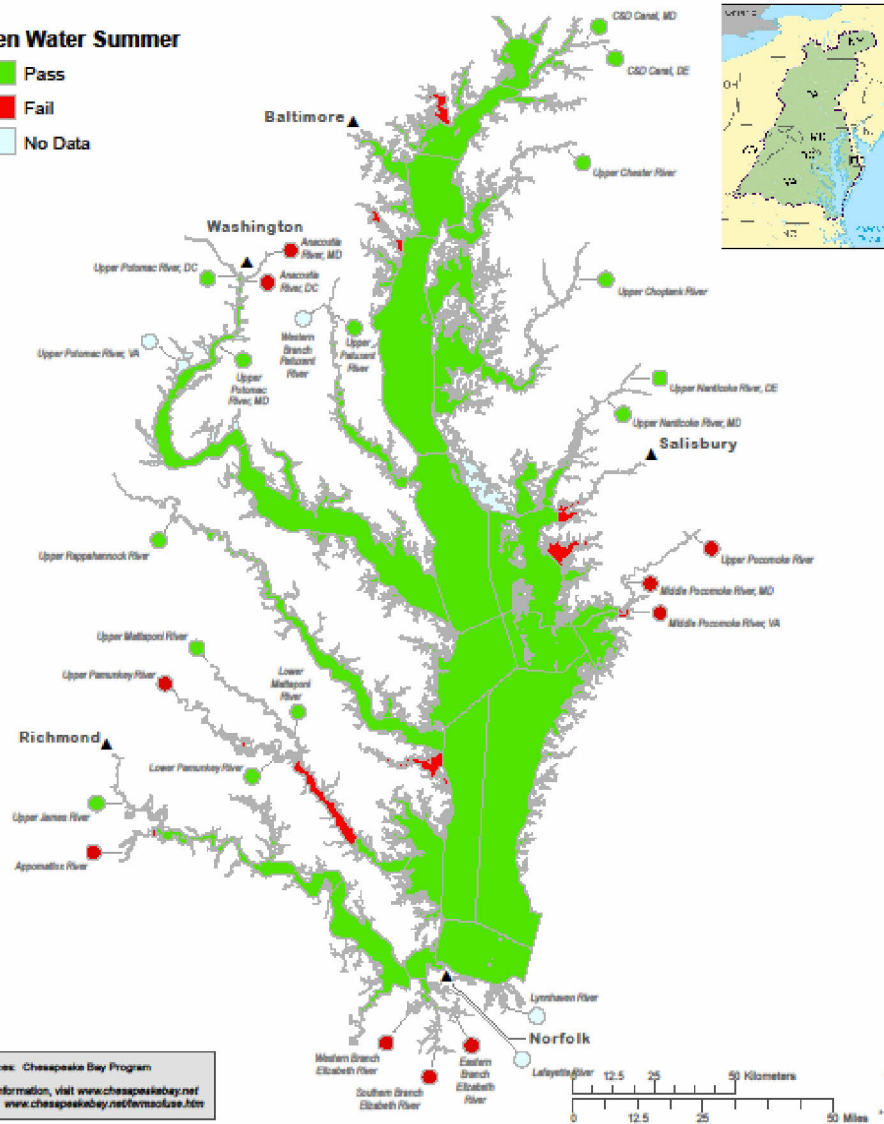
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UTM Zone 18N, NAD 83

Open-Water Use Dissolved Oxygen at Current Target Loads

(200 TN, 15 TP+ 15.7 air allocation)

- Non-attainment in 15 segments (>1%), ex:
 - Pocomoke (25%)
 - Anacostia (16%)
 - Wicomico (15%)
 - Severn (6%)
 - Lower York (3%)
- 8 segments at <1%
- Reaching attainment will require further reductions in nutrient loads from local watershed scales

Highlights of getting to December 2010

- Set TMDL/WIPs on current 5.3 model
- More time for WIPs, eliminate preliminary WIP
- Post-TMDL load/WIP changes
- More contract support for WIPs
- Revise 5.3 model to address two sector issues, and ...
...Use revised model for WIP modifications and 2 year milestone accountability
- Phase 2, 2011 will allow for the adaptive management for the State allocations. The next opportunity will be Phase 3, 2017

Opportunities to Directly Participate

- Call your state's watershed implementation plan point of contact (see next slide)
- Join in the monthly Bay TMDL webinars
 - Next one: **Monday, June 7**, 10 a.m.
- Get better informed: www.epa.gov/chesapeakebaytmdl
- **Fall 2010**: Bay TMDL public review/comment period
 - Public meetings/webinars
- Contact your friendly EPA Bay TMDL colleagues (we don't bite or even bark!)

Watershed Implementation Plan Contacts

- Delaware: Jennifer Volk, DNREC
- District of Columbia: Monir Chowdhury, DOE
- Maryland: Rich Eskin and Tom Thornton, MDE
- New York: Ron Entringer and Peter Freehafer, DEC
- Pennsylvania: Pat Buckley, DEP
- Virginia: Alan Pollock, DEQ and Russ Perkinson, DCR
- West Virginia: Teresa Koon, DEP

Contact information--phone number, email address--is available at:
www.epa.gov/chesapeakebaytmdl

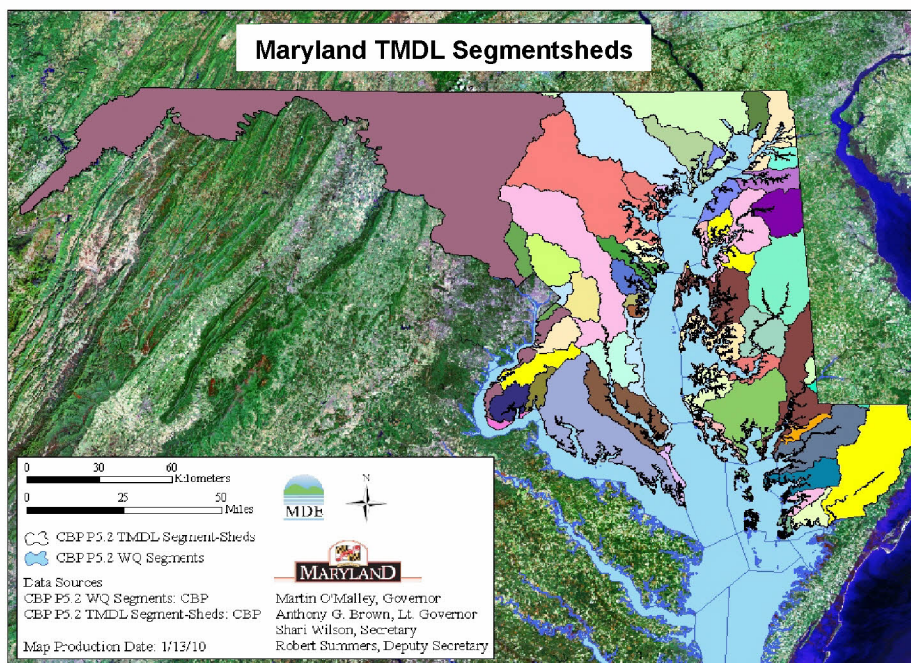
Bay TMDL and State WIP teams on January 1, 2011



Bay States on January 2, 2011



Bay TMDL & WIP: Context for Local Stakeholder Dialogue



Webinar May 17, 2010

Results of April PSC Meeting

- Maryland accepts the decision to establish the TMDL by Dec. 31, 2010
- Nutrient allocations are now anticipated by July 1 and sediment allocations by August 15:
 - MDE will review and sub-allocate as quickly as possible.
- Bay TMDL & Phase I WIP Schedule Refinement:
 - Phase I WIPs tentatively due Sept. 1, however, MDE will likely review progress with EPA during summer.
 - Public comment on Phase I WIP and TMDL: October Timeframe
- Shift in Role of Phase II WIP:
 - Opportunity to Modify TMDL Allocations
 - More Time to Address Technical Issues
 - More Time for Stakeholder Advice
 - Public Comment Period
 - Allocation Modification Constitutes a TMDL Modification

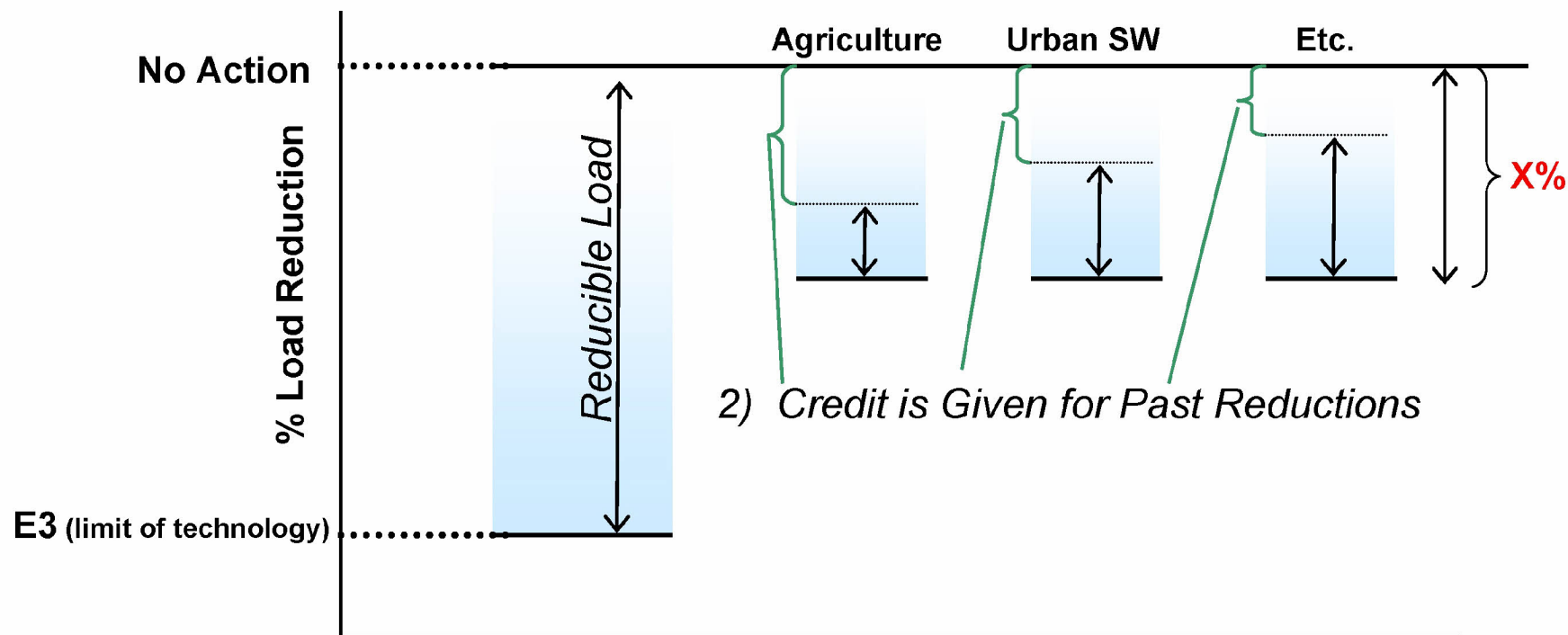
Allocation Process

- Principles for Setting Target Loads:
 - 1) Equity Among Nonpoint Source Sectors*
 - 2) Credit for Past Reductions
 - 3) Most Effective Basins Reduce More:
 - Efficient
 - Equitable

* Default allocations for Major Municipal Waste Water Treatment Plants is ENR Cap

Allocations: Equity & Credit

- 1) Each Source Sector Receives Allocations Based on Equal **X%** Reduction Toward E3



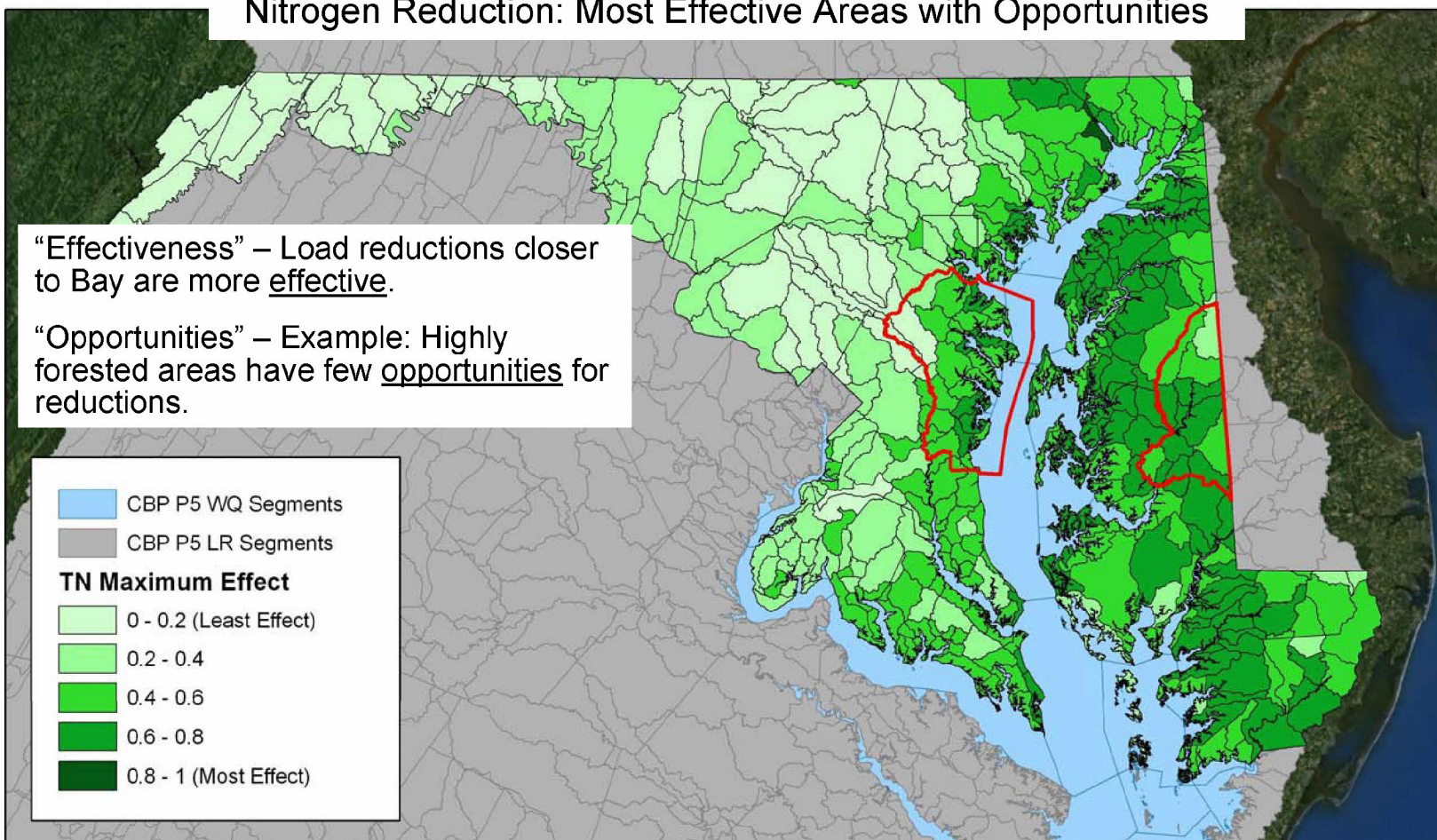
- 2) Credit is Given for Past Reductions

Effectiveness and Opportunity

Nitrogen Reduction: Most Effective Areas with Opportunities

“Effectiveness” – Load reductions closer to Bay are more effective.

“Opportunities” – Example: Highly forested areas have few opportunities for reductions.



Allocation Categories

Available at Different Scales	Sector	No Action	E3	2009 Progress	Tributary Strategy	Target Load
State-wide 5 Major Basins County Segmentshed	Major WWTP & Industrial [1]					
	Minor WWTP & Industrial [2]					
	NPDES MS4 Stormwater [2]					
	NPDES Industrial Stormwater [2]					
	NPDES Construction Stormwater [2]					
	NPDES Resource Extraction Stormwater [2]					
	CAFOs					
	Dredged Material Placement Sites					
	Agriculture [3]					
	Non-regulated Urban Stormwater [3]					
	Septic Systems [3]					
	Forest [3]					

1. Individual Waste Load Allocation.
2. Aggregate Waste Load Allocation.
3. NPS Load Allocation
4. "Other" future allocation may be included.
5. Atmospheric Loads are Addressed Separately.

Tributary Strategies

- 2004 Tributary Strategies:
 - WIP Builds on Trib Strategy Stakeholder Advice
 - Target Reductions under 5.3 Model are similar to those in the Trib Strategies.

Current Strategy Foundation

- 2-Year Milestones: 29 Milestones are Foundation:
 - 15 Agricultural Practices
 - 9 Urban Practices
 - Air (1)
 - Septics (4)
 - WWTPs (2)
 - Stormwater (1)
 - Urban Nutrient Management (1)
 - 5 Natural Filters Practices
 - Stream Buffers (2)
 - Wetlands (1)
 - Retire Highly Erodible Land (1)
 - Tree Planting (1)

Accounting for Growth

1. Power Plant Atmos. Cap Strategy (In Place)
2. Wastewater Cap Strategy (In Place)
3. WIP Reduction Strategies will Account for Projected Future Loads
4. Contingency NPS Offset Policies:
 - a. Loads from New Land Development
 - b. Loads from New Septic Systems

Additional Options Being Considered

- Agriculture
 - Increase Use of Manure Incorporation
 - Ammonia Controls at Poultry Houses
- Urban/Suburban
 - BAT replacement for failing Septic Systems
- Natural Filters
 - Increase stream buffers on farm and urban land.
- General
 - Implement Cap & Trade programs.
 - Increase Chesapeake and Atlantic Coastal Bays Trust Fund.

Keys to Success

- Key Partners:
 - Federal Agencies and Facilities
 - Local Government
 - Soil Conservation Districts
 - Large Landholders (federal, State, private)
 - Advisory Groups and Concerned Citizens
 - Elected Officials
- Build Capacity:
 - Next Budget Cycle:
 - Capital & Operational
 - Technical
 - Administrative

Stakeholder Involvement

- TMDL & Phase I WIP:
 - Phase I Stakeholder Advisory Process:
 - June – Regional Stakeholder Exchanges
 - July – Stakeholders Synthesize Feedback/Advice
 - September – Stakeholder Exchanges on Draft WIPs
 - October – Maryland Public Meetings
 - Local Pilots
 - Continued Briefings
 - Public Comment Process
- Phase II WIP:
 - Build on Lessons from Local Pilots
 - Work with Local Authorities: Gov't., SCDs, Utilities, etc.
 - Stakeholder Advisory Process
 - Public Comment Process

Contacts:

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CShanks@dnr.state.md.us

MDA: Beth Horsey – 410 841-5896
horseyea@mda.state.md.us

MDP: Jason Dubow – 410 767-3370
JDubow@mdp.state.md.us



Questions & Comments



Thank you for your participation!



That concludes today's webinar.